

Revised 01/2012

Application (1)

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

IN RE:

James Wesley Garner  
Marcia Ann Garner  
Debtor

10-41593

Bankruptcy Case Number

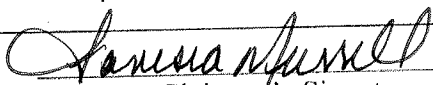
## APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS

Comes now the Claimant identified below to make Application for an Order authorizing payment of unclaimed funds now on deposit in the Treasury of the United States for the benefit of Claimant. Claimant was a creditor/debtor in the above captioned bankruptcy case and has not received payment of these funds which are due and owing to the Claimant. Claimant further states that Claimant is:

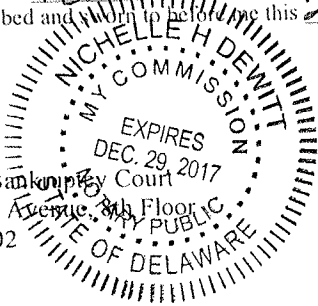
NAME OF CLAIMANT: Tanisia Murrell for Capital One  
 PHONE NUMBER: 302-574-9129 LAST FOUR DIGITS OF SOCIAL SECURITY NO: 0640  
 MAILING ADDRESS: 301 W. 11th Street, Floor 4  
 CITY: Wilmington STATE: DE ZIP: 19801

and that a dividend in the amount of \$4,986.95 was awarded in this case which dividend is currently unclaimed and held by the Clerk of Court.

Claimant certifies that all statements made by Claimant on this Application and any attachments required for this Application are, to the best of Claimant's knowledge, true and correct. Accordingly, Claimant requests the Court to enter an Order authorizing payment of the pro rata dividend due upon this claim.

Date: 6/22/16
  
 Claimant's Signature

Co-claimant's Signature (if any)

 State of Delaware  
 County of New Castle  
 Subscribed and sworn to before me this 22nd day of June 2016
  
 Notary Public
My commission expires: 12/29/17
 Mail to: United States Bankruptcy Court  
 110 N. College Avenue, 8th Floor  
 Tyler, TX 75702

Certificate of Service (2)

**CERTIFICATE OF SERVICE**

In accordance with Title 28 U.S.C. Section 2042, the undersigned hereby certifies that on the date designated below a true copy of this application with all required attachments was mailed to [check one as applicable]:

For all cases in **Beaumont & Lufkin** divisions (five-digit case number beginning with 1 or 9):

☐ Office of the United States Attorney  
Eastern District of Texas  
Attn: Unclaimed Funds Requests  
350 Magnolia Avenue, Suite 150  
Beaumont, TX 77701-2248

For all cases in **Marshall & Tyler** divisions (five-digit case number beginning with 2 or 6):

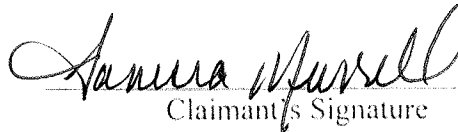
☐ Office of the United States Attorney  
Eastern District of Texas  
Attn: Unclaimed Funds Requests  
110 North College Avenue, Suite 700  
Tyler, TX 75702-0204

For all cases in **Paris, Sherman, & Texarkana** divisions (five-digit case number beginning with 3, 4 or 5):

☒ Office of the United States Attorney  
Eastern District of Texas  
Attn: Unclaimed Funds Requests  
101 East Park Boulevard, Suite 500  
Plano, Texas 75074-8858

Date:

6/22/16

  
Claimant's Signature

Revised 01/2012

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS

IN RE:

<u>James Wesley Garner</u> <u>Marcia Ann Garner</u> Debtor	<u>10-41593</u> Bankruptcy Case Number
--	---

**ORDER GRANTING APPLICATION FOR PAYMENT  
OF UNCLAIMED FUNDS**

The Court having considered the Application for Payment of Unclaimed Funds filed by:

NAME OF CLAIMANT: Tanisia Murrell for Capital OneMAILING ADDRESS: 301 W. 11th Street, Floor 4CITY: Wilmington STATE: DE ZIP: 19801("Claimant") for payment of a dividend from unclaimed funds in the amount of \$ 4,986.95.

and, it appearing to the Court that the Claimant is entitled to receive payment, and, these funds are now on deposit in the Treasury of the United States, and that proper notice of the Application was given to the United States Attorney for the Eastern District of Texas pursuant to Title 28 U.S.C. Section 2042,

**IT IS THEREFORE ORDERED** that the Clerk of the Bankruptcy Court direct the issuance of a draft upon the Treasury of the United States in the amount stated above and payable to the Claimant.



Capital One Financial Corporation 703.720.1000  
1680 Capital One Drive 703.720.2213 Fax  
McLean, VA 22102 capitalone.com

**AFFIDAVIT OF AUTHORITY  
FOR RECOVERY OF UNCLAIMED PROPERTY**


**TO WHOM IT MAY CONCERN:**

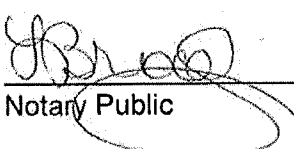
I, Warrenetta Baker, Senior Vice President, and authorized officer of Capital One Financial Corporation and its affiliates (collectively, "Capital One") being first duly sworn, state as follows:

That Tanisia Murrell, Manager, Shared Services, is hereby authorized by and on behalf of Capital One to claim and receive all unclaimed property funds of any kind, exclusive of Federal, State, or local jurisdiction related tax payments, currently being held in Capital One's name.

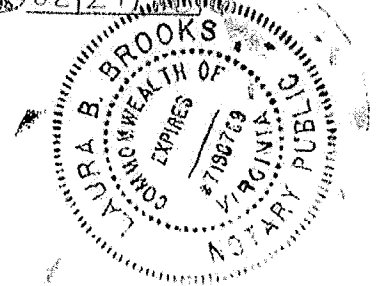
This document shall not be construed as granting a Power of Attorney, under Federal, State, or local jurisdiction tax laws, to Ms. Murrell. Ms. Murrell is not authorized to receive confidential tax information on behalf of Capital One, to represent Capital One in any tax matters before a Federal, State, or local taxing authority, to execute any Federal, State, or local tax agreements on behalf of Capital One, or to extend the statute of limitations on the assessment or collection of Federal, State, or local taxes on behalf of Capital One.

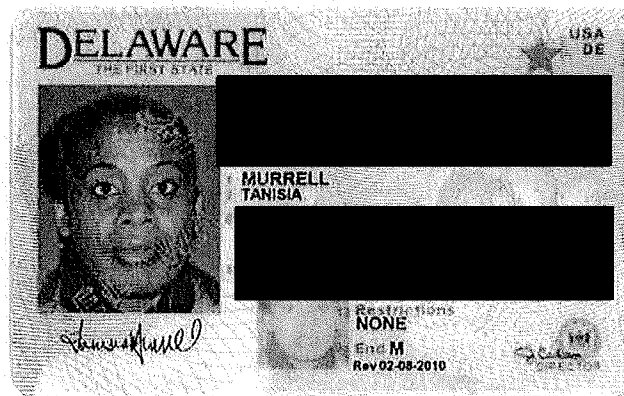
IN WITNESS WHEREOF, I have hereto set my hand this 6th day of May 2014.

  
\_\_\_\_\_  
Warrenetta Baker,  
SVP, Chief Counsel – Global Tax  
Chief Tax Officer, Capital One Financial Corporation

  
\_\_\_\_\_  
Notary Public

City / County of Garrison  
Commonwealth/State of VA  
The foregoing instrument was acknowledged  
before me this 6th day of May  
2014, by Warrenetta Baker  
(Name of person seeking acknowledgement)  
Notary Public  
My commission expires: 02/29/2016





Capital One Services, LLC  
301 West 11th Street  
6th Floor  
Wilmington, DE 19801  
302.574.9129  
Tanisia.Murrell@capitalone.com

Tanisia Murrell  
Manager  
Global Finance - Escheatment

Form <b>W-9</b> (Rev. December 2011) Department of the Treasury Internal Revenue Service	<b>Request for Taxpayer Identification Number and Certification</b>	<b>Give Form to the requester. Do not send to the IRS.</b>	
Name (as shown on your income tax return) <b>Capital One, N.A.</b>			
Business name/disregarded entity name, if different from above			
Print or type See Specific Instructions on page 2.	Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____		
	<input checked="" type="checkbox"/> Exempt payee		
	<input checked="" type="checkbox"/> Other (see instructions) ▶ <b>National Association</b>		
	Address (number, street, and apt. or suite no.) <b>1680 Capital One Dr</b> City, state, and ZIP code <b>McLean, VA 22102</b>	Requester's name and address (optional)	
	List account number(s) here (optional)		

<b>Part I Taxpayer Identification Number (TIN)</b> Enter your TIN in the appropriate box. The TIN provided must match the name given on the "Name" line to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see <i>How to get a TIN</i> on page 3. <b>Note.</b> If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.	
Social security number <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div> <div style="border: 1px solid black; width: 100px; height: 20px; margin: 5px 0;"></div>	Employer identification number <div style="border: 1px solid black; width: 150px; height: 20px; margin: 5px 0; display: flex; align-items: center;"> <span style="border-right: 1px solid black; padding: 0 5px;">7</span> <span style="border-right: 1px solid black; padding: 0 5px;">2</span> <span style="border-right: 1px solid black; padding: 0 5px;">-</span> <span style="border-right: 1px solid black; padding: 0 5px;">0</span> <span style="border-right: 1px solid black; padding: 0 5px;">2</span> <span style="border-right: 1px solid black; padding: 0 5px;">1</span> <span style="border-right: 1px solid black; padding: 0 5px;">0</span> <span style="border-right: 1px solid black; padding: 0 5px;">6</span> <span style="border-right: 1px solid black; padding: 0 5px;">4</span> <span style="padding: 0 5px;">0</span> </div>

<b>Part II Certification</b> Under penalties of perjury, I certify that:	
1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and 2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and 3. I am a U.S. citizen or other U.S. person (defined below).	
<b>Certification instructions.</b> You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions on page 4.	
<b>Sign Here</b>	Signature of U.S. person ▶ <i>KD Blum</i> Date ▶ <i>10/19/2012</i>

## General Instructions

Section references are to the Internal Revenue Code unless otherwise noted.

## Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

**Note.** If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

**Definition of a U.S. person.** For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

**Special rules for partnerships.** Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

## Eastern District of Texas Claims Register

10-41593 James Wesley Garner and Marcia Ann Garner **Closed 09/24/2014**

**Chief Judge:** Brenda T. Rhoades

**Chapter:** 13

**Office:** Sherman

**Last Date to file claims:**

**Trustee:** Janna L. Countryman

**Last Date to file (Govt):**

<b>Creditor:</b> (5925112) Portfolio Recovery Associates LLC PO Box 41067 Norfolk VA 23541 <u>Claimant</u> <u>History</u>	<b>Claim No: 1</b> <i>Original Filed</i> <i>Date: 05/20/2010</i> <i>Original Entered</i> <i>Date: 05/20/2010</i>	<b>Status:</b> <i>Filed by: CR</i> <i>Entered by: Blake Hogan</i> <i>Modified:</i>
---	--	---

Amount	claimed:	\$5414.54			
Unsecured	claimed:	\$5414.54			

<b>History:</b>					
<u>Details</u>		1-1	05/20/2010	Claim #1 filed by Fia Card Services, NA As Successor In Interest to, Amount claimed: \$5414.54 (Hogan, Blake )	
		32	01/15/2011	Notice of Transfer of Claim in the amount of \$5414.54 Claim Number 1 Filed by PRA Receivables Management LLC (Garcia, Dolores)	

<b>Description:</b>
---------------------

<b>Remarks:</b>
-----------------

<b>Creditor:</b> (5722708) Wells Fargo Bank, N.A. 4137 121st Street Urbandale IA 50323	<b>Claim No: 2</b> <i>Original Filed</i> <i>Date: 05/24/2010</i> <i>Original Entered</i> <i>Date: 05/24/2010</i>	<b>Status:</b> <i>Filed by: CR</i> <i>Entered by: Jennifer Griffith</i> <i>Modified:</i>
---	--	---

Amount	claimed:	\$7806.09			
Unsecured	claimed:	\$7806.09			

<b>History:</b>					
<u>Details</u>		2-1	05/24/2010	Claim #2 filed by Wells Fargo Bank, N.A., Amount claimed: \$7806.09 (Griffith, Jennifer )	

<b>Description:</b> (2-1) unsecured claim
---

<b>Remarks:</b>
-----------------

<b>Creditor:</b> (5724040) Discover Bank	<b>Claim No: 3</b> <i>Original Filed</i>	<b>Status:</b> <i>Filed by: CR</i>
---	---	---------------------------------------

<b>History:</b>					
<u>Details</u>		3-1	05/25/2010	Claim #3 filed by Discover Bank, Amount claimed: \$7567.46 (Taylor, Marc )	

<b>Description:</b>
---------------------

<b>Remarks:</b>
-----------------

Dfs Services LLC PO Box 3025 New Albany, Ohio 43054-3025		Date: 05/25/2010 Original Entered Date: 05/25/2010		Entered by: Marc Taylor Modified:	
Amount	claimed:	\$7567.46			
Unsecured	claimed:	\$7567.46			
<b>History:</b>					
Details		3-1	05/25/2010	Claim #3 filed by Discover Bank, Amount claimed: \$7567.46 (Taylor, Marc )	
<b>Description:</b>					
<b>Remarks:</b>					

Creditor: (5724040) Discover Bank Dfs Services LLC PO Box 3025 New Albany, Ohio 43054-3025		Claim No: 4 Original Filed Date: 05/25/2010 Original Entered Date: 05/25/2010		Status: Filed by: CR Entered by: Marc Taylor Modified:	
Amount	claimed:	\$5154.63			
Unsecured	claimed:	\$5154.63			
<b>History:</b>					
Details		4-1	05/25/2010	Claim #4 filed by Discover Bank, Amount claimed: \$5154.63 (Taylor, Marc )	
<b>Description:</b>					
<b>Remarks:</b>					

Creditor: (5718317) Internal Revenue Service CIO PO Box 21126 Philadelphia PA 19114		Claim No: 5 Original Filed Date: 05/28/2010 Original Entered Date: 05/28/2010 Last Amendment Filed: 06/15/2010 Last Amendment Entered: 06/15/2010		Status: Filed by: CR Entered by: Mikeal Smith Modified:	
Amount	claimed:	\$0.00			
Secured	claimed:	\$0.00			
Priority	claimed:	\$0.00			
Unsecured	claimed:	\$0.00			
<b>History:</b>					
Details		5-1	05/28/2010	Claim #5 filed by Internal Revenue Service CIO, Amount claimed: \$3200.00 (Smith, Mikeal )	
Details		5-2	06/15/2010	Amended Claim #5 filed by Internal Revenue Service CIO, Amount claimed: \$0.00 (Smith, Mikeal )	
<b>Description:</b>					
<b>Remarks:</b>					

<b>Creditor:</b> (5729913) Capital One, National Association P.O. Box 829009 Dallas, TX 75382-9009		<b>Claim No: 6</b> <i>Original Filed</i> Date: 05/28/2010 <i>Original Entered</i> Date: 05/28/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Lawrence Joseph Buckley <i>Modified:</i>				
Amount	claimed:	\$50408.20					
Secured	claimed:	\$50408.20					
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td>6-1</td> <td>05/28/2010</td> <td>Claim #6 filed by Capital One, National Association, Amount claimed: \$50408.20 (Buckley, Lawrence )</td> </tr> </table>				Details	6-1	05/28/2010	Claim #6 filed by Capital One, National Association, Amount claimed: \$50408.20 (Buckley, Lawrence )
Details	6-1	05/28/2010	Claim #6 filed by Capital One, National Association, Amount claimed: \$50408.20 (Buckley, Lawrence )				
<b>Description:</b>							
<b>Remarks:</b>							

<b>Creditor:</b> (5734511) USAA FEDERAL SAVINGS BANK C O WEINSTEIN AND RILEY, PS 2001 WESTERN AVENUE, STE 400 SEATTLE, WA 98121		<b>Claim No: 7</b> <i>Original Filed</i> Date: 06/04/2010 <i>Original Entered</i> Date: 06/04/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Richard S. Ralston <i>Modified:</i>				
Amount	claimed:	\$18517.74					
Unsecured	claimed:	\$18517.74					
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td>7-1</td> <td>06/04/2010</td> <td>Claim #7 filed by USAA FEDERAL SAVINGS BANK, Amount claimed: \$18517.74 (Ralston, Richard )</td> </tr> </table>				Details	7-1	06/04/2010	Claim #7 filed by USAA FEDERAL SAVINGS BANK, Amount claimed: \$18517.74 (Ralston, Richard )
Details	7-1	06/04/2010	Claim #7 filed by USAA FEDERAL SAVINGS BANK, Amount claimed: \$18517.74 (Ralston, Richard )				
<b>Description:</b>							
<b>Remarks:</b>							

<b>Creditor:</b> (5729913) Capital One, National Association P.O. Box 829009 Dallas, TX 75382-9009		<b>Claim No: 8</b> <i>Original Filed</i> Date: 06/11/2010 <i>Original Entered</i> Date: 06/11/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Lawrence Joseph Buckley <i>Modified:</i>				
Amount	claimed:	\$2872.49					
Secured	claimed:	\$2872.49					
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td>8-1</td> <td>06/11/2010</td> <td>Claim #8 filed by Capital One, National Association, Amount claimed: \$2872.49 (Buckley, Lawrence )</td> </tr> </table>				Details	8-1	06/11/2010	Claim #8 filed by Capital One, National Association, Amount claimed: \$2872.49 (Buckley, Lawrence )
Details	8-1	06/11/2010	Claim #8 filed by Capital One, National Association, Amount claimed: \$2872.49 (Buckley, Lawrence )				
<b>Description:</b>							
<b>Remarks:</b>							

<b>Creditor:</b> (5729913) Capital One, National Association P.O. Box 829009 Dallas, TX 75382-9009		<b>Claim No: 9</b> <i>Original Filed</i> Date: 06/12/2010 <i>Original Entered</i> Date: 06/12/2010		<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Lawrence Joseph Buckley <i>Modified:</i>	
Amount	claimed:	\$5085.70			
Unsecured	claimed:	\$5085.70			
<b>History:</b>					
Details		9-1	06/12/2010	Claim #9 filed by Capital One, National Association, Amount claimed: \$5085.70 (Buckley, Lawrence )	
<b>Description:</b>					
<b>Remarks:</b>					

<b>Creditor:</b> (5824027) eCAST Settlement Corporation POB 29262 New York NY 10087-9262 <u>Claimant History</u>		<b>Claim No: 10</b> <i>Original Filed</i> Date: 06/17/2010 <i>Original Entered</i> Date: 06/17/2010		<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Blake Hogan <i>Modified:</i>	
Amount	claimed:	\$31892.08			
Unsecured	claimed:	\$31892.08			
<b>History:</b>					
Details		10-1	06/17/2010	Claim #10 filed by Fia Card Services, NA As Successor In Interest to, Amount claimed: \$31892.08 (Hogan, Blake )	
		18	09/17/2010	Notice of Transfer of Claim in the amount of \$31892.08 Claim Number 10 Filed by eCAST Settlement Corporation (Becket, Alane)	
<b>Description:</b>					
<b>Remarks:</b>					

<b>Creditor:</b> (5749416) DCFS USA LLC 13650 Heritage Parkway Fort Worth, TX 76177 Attn: Dewhana Jones		<b>Claim No: 11</b> <i>Original Filed</i> Date: 06/25/2010 <i>Original Entered</i> Date: 06/25/2010		<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Stephen G. Wilcox <i>Modified:</i>	
Amount	claimed:	\$17798.18			
Secured	claimed:	\$17798.18			
<b>History:</b>					
Details		11-1	06/25/2010	Claim #11 filed by DCFS USA LLC, Amount claimed: \$17798.18 (Wilcox, Stephen )	
<b>Description:</b>					
<b>Remarks:</b>					

<b>Creditor:</b> (6161376) East Bay Funding, LLC c/o Resurgent Capital Services PO Box 288 Greenville, SC 29603 <u>Claimant</u> History		<b>Claim No: 12</b> Original Filed Date: 06/28/2010 Original Entered Date: 06/28/2010	<b>Status:</b> Filed by: CR Entered by: Steve Kane Modified:
Amount	claimed:	\$10437.13	
Secured	claimed:	\$0.00	
Unsecured	claimed:	\$10437.13	
<b>History:</b>			
Details	12-1	06/28/2010	Claim #12 filed by Roundup Funding, LLC, Amount claimed: \$10437.13 (Kane, Steve )
	40	01/24/2012	Joint Notice of Transfer of Claim with Waiver in the amount of \$10437.13 Claim Number 12 Filed by East Bay Funding, LLC (Gaines, Susan)
<b>Description:</b>			
<b>Remarks:</b>			

<b>Creditor:</b> (5765490) Toyota Motor Credit Corporation 5005 North River Blvd., N.E. Cedar Rapids, IA 52411-6634		<b>Claim No: 13</b> Original Filed Date: 07/14/2010 Original Entered Date: 07/14/2010	<b>Status:</b> Filed by: CR Entered by: Brittney Martinson Modified:
Amount	claimed:	\$12771.35	
Secured	claimed:	\$12771.35	
<b>History:</b>			
Details	13-1	07/14/2010	Claim #13 filed by Toyota Motor Credit Corporation, Amount claimed: \$12771.35 (Martinson, Brittney )
<b>Description:</b>			
<b>Remarks:</b>			

<b>Creditor:</b> (5788434) eCAST Settlement Corporation, assignee of Citibank (South Dakota), N.A. POB 29262 New York, NY 10087-9262		<b>Claim No: 14</b> Original Filed Date: 08/06/2010 Original Entered Date: 08/06/2010	<b>Status:</b> Filed by: CR Entered by: Thomas A. Lee, III Modified:
Amount	claimed:	\$15153.07	
Unsecured	claimed:	\$15153.07	
<b>History:</b>			
Details	14-1	08/06/2010	Claim #14 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$15153.07 (Lee, Thomas )
<b>Description:</b> (14-1) CREDIT CARD DEBT			
<b>Remarks:</b>			

<b>Creditor:</b> (5788435) eCAST Settlement Corporation, assignee of Citibank (South Dakota), N.A. POB 29262 New York, NY 10087-9262		<b>Claim No: 15</b> Original Filed Date: 08/06/2010 Original Entered Date: 08/06/2010		<b>Status:</b> Filed by: CR Entered by: Thomas A. Lee, III Modified:							
Amount	claimed:	\$13435.70									
Unsecured	claimed:	\$13435.70									
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td></td> <td>15-1</td> <td>08/06/2010</td> <td colspan="2">Claim #15 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$13435.70 (Lee, Thomas )</td> </tr> </table>						Details		15-1	08/06/2010	Claim #15 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$13435.70 (Lee, Thomas )	
Details		15-1	08/06/2010	Claim #15 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$13435.70 (Lee, Thomas )							
<b>Description:</b> (15-1) CREDIT CARD DEBT											
<b>Remarks:</b>											

<b>Creditor:</b> (5788436) eCAST Settlement Corporation, assignee of Citibank (South Dakota), N.A. POB 29262 New York, NY 10087-9262		<b>Claim No: 16</b> Original Filed Date: 08/06/2010 Original Entered Date: 08/06/2010		<b>Status:</b> Filed by: CR Entered by: Thomas A. Lee, III Modified:							
Amount	claimed:	\$9885.04									
Unsecured	claimed:	\$9885.04									
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td></td> <td>16-1</td> <td>08/06/2010</td> <td colspan="2">Claim #16 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$9885.04 (Lee, Thomas )</td> </tr> </table>						Details		16-1	08/06/2010	Claim #16 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$9885.04 (Lee, Thomas )	
Details		16-1	08/06/2010	Claim #16 filed by eCAST Settlement Corporation, assignee, Amount claimed: \$9885.04 (Lee, Thomas )							
<b>Description:</b> (16-1) CREDIT CARD DEBT											
<b>Remarks:</b>											

<b>Creditor:</b> (5720776) Fia Card Services, NA As Successor In Interest to Bank of America NA and Mbna America Bank 1000 Samoset Drive DE5-023-03-03 Newark, DE 19713		<b>Claim No: 17</b> Original Filed Date: 08/16/2010 Original Entered Date: 08/16/2010		<b>Status:</b> Filed by: CR Entered by: Blake Hogan Modified:							
Amount	claimed:	\$9651.45									
Unsecured	claimed:	\$9651.45									
<b>History:</b> <table border="1"> <tr> <td>Details</td> <td></td> <td>17-1</td> <td>08/16/2010</td> <td colspan="2">Claim #17 filed by Fia Card Services, NA As Successor In Interest to, Amount claimed: \$9651.45 (Hogan, Blake )</td> </tr> </table>						Details		17-1	08/16/2010	Claim #17 filed by Fia Card Services, NA As Successor In Interest to, Amount claimed: \$9651.45 (Hogan, Blake )	
Details		17-1	08/16/2010	Claim #17 filed by Fia Card Services, NA As Successor In Interest to, Amount claimed: \$9651.45 (Hogan, Blake )							
<b>Description:</b>											
<b>Remarks:</b>											

<b>Creditor:</b> (5794391) PRA Receivables Management, LLC As Agent Of Portfolio Recovery Assocs. POB 41067 Norfolk VA 23541	<b>Claim No: 18</b> <i>Original Filed</i> Date: 08/16/2010 <i>Original Entered</i> Date: 08/16/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Dolores Garcia <i>Modified:</i>												
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Amount</td> <td style="width: 10%;">claimed:</td> <td style="width: 15%;">\$2535.31</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>Unsecured</td> <td>claimed:</td> <td>\$2535.31</td> <td></td> <td></td> <td></td> </tr> </table>			Amount	claimed:	\$2535.31				Unsecured	claimed:	\$2535.31			
Amount	claimed:	\$2535.31												
Unsecured	claimed:	\$2535.31												
<b>History:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Details</td> <td style="width: 5%;"></td> <td style="width: 10%;">18-1</td> <td style="width: 15%;">08/16/2010</td> <td style="width: 60%;">Claim #18 filed by PRA Receivables Management, LLC, Amount claimed: \$2535.31 (Garcia, Dolores )</td> </tr> </table>			Details		18-1	08/16/2010	Claim #18 filed by PRA Receivables Management, LLC, Amount claimed: \$2535.31 (Garcia, Dolores )							
Details		18-1	08/16/2010	Claim #18 filed by PRA Receivables Management, LLC, Amount claimed: \$2535.31 (Garcia, Dolores )										
<b>Description:</b>														
<b>Remarks:</b>														

<b>Creditor:</b> (6161376) East Bay Funding, LLC c/o Resurgent Capital Services PO Box 288 Greenville, SC 29603 <u>Claimant</u> History	<b>Claim No: 19</b> <i>Original Filed</i> Date: 08/26/2010 <i>Original Entered</i> Date: 08/26/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Steve Kane <i>Modified:</i>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Amount</td> <td style="width: 10%;">claimed:</td> <td style="width: 15%;">\$7223.19</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>Secured</td> <td>claimed:</td> <td>\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Unsecured</td> <td>claimed:</td> <td>\$7223.19</td> <td></td> <td></td> <td></td> </tr> </table>			Amount	claimed:	\$7223.19				Secured	claimed:	\$0.00				Unsecured	claimed:	\$7223.19			
Amount	claimed:	\$7223.19																		
Secured	claimed:	\$0.00																		
Unsecured	claimed:	\$7223.19																		
<b>History:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Details</td> <td style="width: 5%;"></td> <td style="width: 10%;">19-1</td> <td style="width: 15%;">08/26/2010</td> <td style="width: 60%;">Claim #19 filed by CR Evergreen, LLC, Amount claimed: \$7223.19 (Kane, Steve )</td> </tr> <tr> <td></td> <td></td> <td>38</td> <td>11/28/2011</td> <td>Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$7223.19 Claim Number 19 Filed by East Bay Funding, LLC (Gaines, Susan)</td> </tr> </table>			Details		19-1	08/26/2010	Claim #19 filed by CR Evergreen, LLC, Amount claimed: \$7223.19 (Kane, Steve )			38	11/28/2011	Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$7223.19 Claim Number 19 Filed by East Bay Funding, LLC (Gaines, Susan)								
Details		19-1	08/26/2010	Claim #19 filed by CR Evergreen, LLC, Amount claimed: \$7223.19 (Kane, Steve )																
		38	11/28/2011	Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$7223.19 Claim Number 19 Filed by East Bay Funding, LLC (Gaines, Susan)																
<b>Description:</b>																				
<b>Remarks:</b>																				

<b>Creditor:</b> (6161376) East Bay Funding, LLC c/o Resurgent Capital Services PO Box 288 Greenville, SC 29603 <u>Claimant</u> History	<b>Claim No: 20</b> <i>Original Filed</i> Date: 08/26/2010 <i>Original Entered</i> Date: 08/26/2010	<b>Status:</b> <i>Filed by:</i> CR <i>Entered by:</i> Steve Kane <i>Modified:</i>																		
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;">Amount</td> <td style="width: 10%;">claimed:</td> <td style="width: 15%;">\$5872.43</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> <tr> <td>Secured</td> <td>claimed:</td> <td>\$0.00</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Unsecured</td> <td>claimed:</td> <td>\$5872.43</td> <td></td> <td></td> <td></td> </tr> </table>			Amount	claimed:	\$5872.43				Secured	claimed:	\$0.00				Unsecured	claimed:	\$5872.43			
Amount	claimed:	\$5872.43																		
Secured	claimed:	\$0.00																		
Unsecured	claimed:	\$5872.43																		
<b>History:</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">Details</td> <td style="width: 5%;"></td> <td style="width: 10%;">20-1</td> <td style="width: 15%;">08/26/2010</td> <td style="width: 60%;">Claim #20 filed by CR Evergreen, LLC, Amount claimed: \$5872.43 (Kane, Steve )</td> </tr> <tr> <td></td> <td></td> <td>39</td> <td>11/28/2011</td> <td>Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$5872.43 Claim Number 20 Filed by East Bay Funding, LLC (Gaines, Susan)</td> </tr> </table>			Details		20-1	08/26/2010	Claim #20 filed by CR Evergreen, LLC, Amount claimed: \$5872.43 (Kane, Steve )			39	11/28/2011	Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$5872.43 Claim Number 20 Filed by East Bay Funding, LLC (Gaines, Susan)								
Details		20-1	08/26/2010	Claim #20 filed by CR Evergreen, LLC, Amount claimed: \$5872.43 (Kane, Steve )																
		39	11/28/2011	Joint Joint Notice of Transfer of Claim with Waiver in the amount of \$5872.43 Claim Number 20 Filed by East Bay Funding, LLC (Gaines, Susan)																
<b>Description:</b>																				
<b>Remarks:</b>																				

<b>Creditor:</b> (5816827) Denton County Michael Reed P O Box 1269 Round Rock, TX 78680		<b>Claim No: 21</b> Original Filed Date: 09/09/2010 Original Entered Date: 09/09/2010	<b>Status:</b> Filed by: CR Entered by: Michael Reed Modified:
Amount	claimed:	\$316.32	
Secured	claimed:	\$316.32	
<b>History:</b> <input type="button" value="Details"/> <input type="button" value="21-1"/> 09/09/2010 Claim #21 filed by Denton County, Amount claimed: \$316.32 (Reed, Michael )			
<b>Description:</b> (21-1) property taxes			
<b>Remarks:</b>			

<b>Creditor:</b> (5718305) BMW Financial PO Box 3608 Dublin OH 43016 0306		<b>Claim No: 22</b> Original Filed Date: 09/13/2010 Original Entered Date: 09/14/2010	<b>Status:</b> Filed by: CR Entered by: slt Modified:
Amount	claimed:	\$7237.43	
Unsecured	claimed:	\$7237.43	
<b>History:</b> <input type="button" value="Details"/> <input type="button" value="22-1"/> 09/13/2010 Claim #22 filed by BMW Financial, Amount claimed: \$7237.43 (slt)			
<b>Description:</b>			
<b>Remarks:</b>			

<b>Creditor:</b> (5825572) Frisco ISD Tax PO Box 547 Frisco, TX 75034		<b>Claim No: 23</b> Original Filed Date: 09/20/2010 Original Entered Date: 09/20/2010	<b>Status:</b> Filed by: CR Entered by: David McCall Modified:
Amount	claimed:	\$2860.84	
Secured	claimed:	\$2860.84	
<b>History:</b> <input type="button" value="Details"/> <input type="button" value="23-1"/> 09/20/2010 Claim #23 filed by Frisco ISD Tax, Amount claimed: \$2860.84 (McCall, David )			
<b>Description:</b> (23-1) Ad Valorem Property Taxes			
<b>Remarks:</b>			

### Claims Register Summary

**Case Name:** James Wesley Garner and Marcia Ann Garner**Case Number:** 10-41593**Chapter:** 13**Date Filed:** 05/17/2010**Total Number Of Claims:** 23

<b>Total Amount Claimed*</b>	\$249896.37
<b>Total Amount Allowed*</b>	

\*Includes general unsecured claims

The values are reflective of the data entered. Always refer to claim documents for actual amounts.

	<b>Claimed</b>	<b>Allowed</b>
<b>Secured</b>	\$87027.38	
<b>Priority</b>	\$0.00	
<b>Administrative</b>		

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
06/16/2016 16:18:13			
<b>PACER Login:</b>	ve0863:3480690:0	<b>Client Code:</b>	
<b>Description:</b>	Claims Register	<b>Search Criteria:</b>	10-41593 Creditor Type: cr Filed or Entered From: 5/27/1900 Filed or Entered To: 1/3/2017
<b>Billable Pages:</b>	2	<b>Cost:</b>	0.20

THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

IN RE:

JAMES WESLEY GARNER  
XXX-XX-8397  
P. O. BOX 5806  
FRISCO, TX 75035

MARCIA ANN GARNER  
XXX-XX-9514

DEBTORS

§  
§  
§  
§  
§  
§  
§  
§  
§  
§

CASE NO. 10-41593-R

CHAPTER 13

**NOTICE TO DEPOSIT UNCLAIMED FUNDS**


COMES NOW, Janna L. Countryman, the Standing Chapter 13 Trustee in the above numbered and styled case, filing this Notice to Deposit Unclaimed Funds, and in support thereof, would show the Court as follows:

1. Janna L. Countryman is the duly qualified and acting Trustee in this case, and files this Notice to Deposit Unclaimed Funds pursuant to 11 USC §347(a).
2. The Trustee has made distributions of the funds of this estate in accordance with the confirmed Chapter 13 Plan, the Trustee's Recommendation Concerning Claims, and/or the Bankruptcy Code. Some of the distribution checks have not been negotiated.
3. An amount has been reserved for the following creditor to whom previous checks were submitted without negotiation:

<u>Creditor</u>	<u>Ct Claim No</u>	<u>Reserve Amount</u>
CAPITAL ONE, NATIONAL ASSOCIATION	9	\$4,986.95

4. A turnover check payable to the Clerk of the United States Bankruptcy Court for \$4,986.95 is attached to this Notice.

Dated: 5/31/14

  
\_\_\_\_\_  
Janna L. Countryman, TBN 04888050  
Shelly Terrill, TBN 00794788  
Office of the Standing Chapter 13 Trustee  
500 North Central Expressway, Suite 350  
Plano, Texas 75074  
(972) 943-2580 / Fax (972) 943-8050

## CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Notice to Deposit Funds Into the Unclaimed Funds Registry of the United States Bankruptcy Court has been served upon the following parties in interest on the date set forth below by mailing a copy of same to them via first class mail.

JAMES WESLEY GARNER  
MARCIA ANN GARNER  
P. O. BOX 5806  
FRISCO, TX 75035

RUBIN & ASSOCIATES, PC  
13601 PRESTON ROAD  
SUITE 500E  
DALLAS, TX 75240-4964

CAPITAL ONE, NATIONAL ASSOCIATION  
P. O. BOX 829009  
DALLAS, TX 75382-9009

CAPITAL ONE BANKRUPTCY  
CO TSYS DEBT MANAGEMENT  
PO BOX 5155  
NORCROSS, GA 30091

CAPITAL ONE, NATIONAL ASSOCIATION  
P. O. BOX 152409  
IRVING, TX 75015-2408

Dated: 3/31/14

  
\_\_\_\_\_  
Office of the Standing Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION

In re:

JAMES WESLEY GARNER  
MARCIA ANN GARNER  
Debtor(s)

Case No. 10-41593-R

---

CHAPTER 13 STANDING TRUSTEE'S FINAL REPORT AND ACCOUNT

Janna L. Countryman, chapter 13 trustee, submits the following Final Report and Account of the administration of the estate pursuant to 11 U.S.C. § 1302(b)(1). The trustee declares as follows:

- 1) The case was filed on 05/17/2010.
- 2) The plan was confirmed on 11/18/2010.
- 3) The plan was modified by order after confirmation pursuant to 11 U.S.C. § 1329 on NA.
- 4) The trustee filed action to remedy default by the debtor in performance under the plan on NA.
- 5) The case was completed on 02/24/2014.
- 6) Number of months from filing to last payment: 45.
- 7) Number of months case was pending: 51.
- 8) Total value of assets abandoned by court order: NA.
- 9) Total value of assets exempted: \$100,035.00.
- 10) Amount of unsecured claims discharged without payment: \$848.00.
- 11) All checks distributed by the trustee relating to this case have cleared the bank.

**Receipts:**

Total paid by or on behalf of the debtor \$177,505.00  
Less amount refunded to debtor \$4,059.89

**NET RECEIPTS: \$173,445.11**

**Expenses of Administration:**

Attorney's Fees Paid Through the Plan \$2,250.00  
Court Costs \$0.00  
Trustee Expenses & Compensation \$12,691.06  
Other \$0.00

**TOTAL EXPENSES OF ADMINISTRATION: \$14,941.06**

Attorney fees paid and disclosed by debtor: \$750.00

**Scheduled Creditors:**

Creditor Name	Class	Claim Scheduled	Claim Asserted	Claim Allowed	Principal Paid	Int Paid
BAC HOME LOANS SERVICING LP	Secured	174,392.00	NA	NA	0.00	0.00
BANK OF AMERICA BANKRUPTCY D	Unsecured	15.00	NA	NA	0.00	0.00
BMW FINANCIAL SERVICES	Secured	19,207.00	7,237.43	7,237.43	0.00	0.00
CAPITAL ONE BANKRUPTCY	Unsecured	132.00	NA	NA	0.00	0.00
CAPITAL ONE, NATIONAL ASSOCIAT	Secured	50,669.00	50,408.20	50,408.20	0.00	0.00
CAPITAL ONE, NATIONAL ASSOCIAT	Unsecured	2,808.00	2,872.49	2,872.49	2,872.49	0.00
CAPITAL ONE, NATIONAL ASSOCIAT	Unsecured	4,991.00	5,085.70	5,085.70	5,085.70	0.00
CHASE BANK ONE BANKRUPTCY	Unsecured	701.00	NA	NA	0.00	0.00
CITY OF FRISCO	Secured	1,026.79	NA	NA	0.00	0.00
DCFS USA LLC	Secured	18,149.00	17,798.18	17,798.18	0.00	0.00
DENTON COUNTY TAX ASSESSOR	Secured	551.60	316.32	316.32	0.00	0.00
DISCOVER BANK	Unsecured	7,287.00	7,567.46	7,567.46	7,567.46	0.00
DISCOVER BANK	Unsecured	4,932.00	5,154.63	5,154.63	5,154.63	0.00
EAST BAY FUNDING	Unsecured	7,022.00	7,223.19	7,223.19	7,223.19	0.00
EAST BAY FUNDING	Unsecured	5,747.00	5,872.43	5,872.43	5,872.43	0.00
EAST BAY FUNDING	Unsecured	10,178.00	10,437.13	10,437.13	10,437.13	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	31,238.00	31,892.08	31,892.08	31,892.08	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	13,255.00	13,435.70	13,435.70	13,435.70	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	14,656.00	15,153.07	15,153.07	15,153.07	0.00
ECAST SETTLEMENT CORPORATION	Unsecured	9,612.00	9,885.04	9,885.04	9,885.04	0.00
FIA CARD SERVICES, NA AS SUCCES	Unsecured	9,280.00	9,651.45	9,651.45	9,651.45	0.00
FRISCO ISD	Secured	3,069.34	2,860.84	2,860.84	0.00	0.00
INTERNAL REVENUE SERVICE	Priority	NA	NA	NA	0.00	0.00
PRA RECEIVABLES MANAGEMENT	Unsecured	2,446.00	2,535.31	2,535.31	2,535.31	0.00
PRA RECEIVABLES MANAGEMENT	Unsecured	5,139.00	5,414.54	5,414.54	5,414.54	0.00
TOYOTA MOTOR CREDIT CORP.	Secured	14,355.00	12,771.35	12,771.35	0.00	0.00
USAA FEDERAL SAVINGS BANK	Unsecured	18,104.00	18,517.74	18,517.74	18,517.74	0.00
WELLS FARGO BANK N.A.	Unsecured	7,513.00	7,806.09	7,806.09	7,806.09	0.00

<b>Summary of Disbursements to Creditors:</b>			
	<u>Claim Allowed</u>	<u>Principal Paid</u>	<u>Interest Paid</u>
<b>Secured Payments:</b>			
Mortgage Ongoing	\$50,408.20	\$0.00	\$0.00
Mortgage Arrearage	\$0.00	\$0.00	\$0.00
Debt Secured by Vehicle	\$37,806.96	\$0.00	\$0.00
All Other Secured	\$3,177.16	\$0.00	\$0.00
<b>TOTAL SECURED:</b>	<b>\$91,392.12</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>Priority Unsecured Payments:</b>			
Domestic Support Arrearage	\$0.00	\$0.00	\$0.00
Domestic Support Ongoing	\$0.00	\$0.00	\$0.00
All Other Priority	\$0.00	\$0.00	\$0.00
<b>TOTAL PRIORITY:</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$0.00</b>
<b>GENERAL UNSECURED PAYMENTS:</b>	<b>\$158,504.05</b>	<b>\$158,504.05</b>	<b>\$0.00</b>

<b>Disbursements:</b>	
Expenses of Administration	<u>\$14,941.06</u>
Disbursements to Creditors	<u>\$17,504.05</u>
<b>TOTAL DISBURSEMENTS :</b>	<b><u>\$173,445.11</u></b>

12) The trustee certifies that, pursuant to Federal Rule of Bankruptcy Procedure 5009, the estate has been fully administered, the foregoing summary is true and complete, and all administrative matters for which the trustee is responsible have been completed. The trustee requests a final decree be entered that discharges the trustee and grants such other relief as may be just and proper.

Dated: 08/18/2014

By: /s/ Janna L. Countryman

Trustee

**STATEMENT:** This Unified Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.

### CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the foregoing Chapter 13 Standing Trustee's Final Report and Account has been served upon the following parties in interest by mailing a copy of same to them via first class mail on the date set forth below.

JAMES WESLEY GARNER  
MARCIA ANN GARNER  
P. O. BOX 5806  
FRISCO, TX 75035

RUBIN & ASSOCIATES, PC  
13601 PRESTON ROAD  
SUITE 500E  
DALLAS, TX 75240-4964

Dated: August 18, 2014

/s/ Janna L. Countryman

Office of the Standing Chapter 13 Trustee